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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEENA VARUGHESE, M.D.,

Plaintiff,

v.

MOUNT SINAI MEDICAL CENTER, PATRICK
LENTO, M.D., CARLOS CORDON-CARDO, M.D.,
ADOLFO FIRPO, M.D., IRA J. BLEIWEISS, M.D., and
ABC Corp. 1-10, and JOHN DOES 1-10,

Defendants.

12 Civ. 8812 (CM) (JCF)

**DECLARATION OF
KRUTI MANIAR, M.D.**

KRUTI MANIAR, M.D., pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. I am currently an Assistant Professor in Pathology at Northwestern University Feinberg School of Medicine, a position I have held since 2013. Between July 1, 2007 and June 30, 2011, I was a resident in The Mount Sinai School of Medicine's ("Mount Sinai") Pathology Department (the "Department") Residency Program (the "Program"). I graduated from the Program in June 2011. I am fully familiar with the matters discussed herein based on my own personal knowledge and my review of files maintained by Mount Sinai's Department of Pathology and Mount Sinai's Office of Graduate Medical Education. I make this declaration in support of Defendants' motion for summary judgment.

2. I am female.

3. My national origin is Indian.

4. I attended the Icahn School of Medicine at Mount Sinai for medical school and graduated in 2007. I applied for and was accepted into the Program in 2007. After I graduated from the Program in June 2011, I completed a fellowship at Johns Hopkins University School of Medicine, Department of Pathology, and graduated from this program in 2013. A copy of the Summative Evaluation that I received from Mount Sinai is attached as Exhibit 1 to the Declaration of Dr. Patrick Lento.

5. Throughout my tenure at Mount Sinai, both as a medical student and as a resident, I felt encouraged and supported by faculty, administration and my colleagues. I never felt discriminated against by anyone at Mount Sinai for any reason, including my gender and national origin.

6. Between May 2010 and May 2011, I acted as Co-Chief Resident of the Program with Dr. Samuel McCash ("McCash"). It is my understanding that I was recommended to be Co-Chief Resident by faculty members in the Department. In this role, my job duties and responsibilities included creating resident schedules, addressing coverage issues when residents were unable to report to work and serving as an intermediary between faculty members and residents.

7. I first met McCash when I was a first year resident at Mount Sinai. I got along well with McCash throughout the four-year Program and my time working as a Co-Chief Resident with him. I found him to be a good person and a hard worker. During the many times that I observed McCash interact with other residents, including while he was Co-Chief Resident, he treated all residents equally and always tried to be fair. I never had any reason to believe that

McCash harbored any discriminatory animus towards me or any other female resident because of our gender or, in my case, because I am a woman of Indian descent.

8. My relationship with Plaintiff Leena Varughese ("Plaintiff") was cordial. However, when I was Co-Chief Resident, there were several incidents with Plaintiff where she had trouble taking responsibility. For example, on several occasions, Plaintiff would call out sick unexpectedly and for multiple days and it would be difficult for me to find coverage for her. I also remember one occasion where I asked Plaintiff if she would cover for another resident who had previously covered for her, and before I even told her the date of the coverage, she told me that she was unavailable.

9. At some point in 2011, I became aware that Plaintiff had a disagreement with McCash and was told that she should communicate with me in my role of Chief Resident instead of McCash. I do not have any knowledge about the details of their disagreement or Plaintiff's discussions with anyone at Mount Sinai about McCash.

10. Plaintiff never made any complaint to me about discrimination of any kind or told me that she believed that she was being retaliated against by anyone at Mount Sinai for any reason.

Dated: New York, New York
July 18, 2014



Kruti Maniar, M.D.